

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Bruce Lee Hudson, #299312, *aka* Bruce Lee Hudson #101021, *aka* Bruce L. Hudson,

Plaintiff,

v.

Malik Hockett, *SCDC Officer*; Officer Shaw,
Richland County Probation,

Defendants.

Case No.: 3:19-cv-1499-SAL

ORDER

This matter is before the court for review of the March 1, 2022 Report and Recommendation (the “Report”) of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). [ECF No. 206.] The Report recommends dismissal of this case for Plaintiff’s failure to prosecute his case pursuant to Rule 41 of the Federal Rules of Civil Procedure. *Id.* at 13. In the alternative, the Magistrate Judge recommends granting Defendants’ motions for summary judgment, ECF Nos. 189 & 197, and dismissing this case. *Id.*

Attached to the Report was a notice advising Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. [ECF No. 206-1.] Plaintiff did not file objections to the Report, and the time to do so has expired. Nor has Plaintiff responded to Defendants’ motions for summary judgment, despite being advised that his failure to do so could result in dismissal of his case. *See* [ECF No. 198.]

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this

court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 206, and incorporates the Report by reference herein. Accordingly, this action is **DISMISSED** for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). As a result, Defendants’ motions for summary judgment, ECF No. 189 and 197, are terminated as **MOOT**.

IT IS SO ORDERED.

March 25, 2022
Florence, South Carolina

/s/Sherri A. Lydon
Sherri A. Lydon
United States District Judge